

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

CHAPMAN ASSOCIATES GENERAL)	
BUSINESS, INC.,)	
)	
Plaintiff,)	
)	
v.)	12-2302
)	
INTEGRATED FREIGHT)	
CORPORATION,)	
)	
Defendant.)	

PLAINTIFF’S MOTION FOR TURNOVER ORDER AGAINST THIRD PARTY

Judgment creditor Chapman Associates General Business, Inc. hereby requests that this Court enter an Order directing Bank of America to turn over the funds held in the bank account held in the name of judgment debtor Integrated Freight Corporation (“IFCR”) and that have been frozen pursuant to a Third Party Citation to Discover Assets directed to Bank of America. In support of its motion, Chapman states as follows:

1. On June 12, 2012, Chapman obtained a judgment against Integrated Freight Corporation in the amount of \$835,907.91.
2. Thereafter, Chapman initiated supplementary proceedings by issuing citations to discover assets, including a citation to Bank of America, attached as Exhibit A.

3. On June 23, 2015, this Court entered judgment against Bank of America for the \$10,828.48 it disclosed that it was holding in a bank account belonging to IFCR. Bank of America satisfied that judgment.

4. On July 14, 2015, Bank of America informed counsel for Chapman that it froze an additional \$17,959.12 in the same account held by Integrated Freight. That money was deposited after Bank of America responded to the citation. Since the citation had not been dismissed, Bank of America correctly froze the account.

5. Undersigned counsel spoke directly to the CEO of Integrated Freight, David Fuselier. Mr. Fuselier consented to the entry of a turnover order for \$17,959.12.

6. Pursuant to 735 ILCS 5/2-1402(c), Chapman is entitled to entry of an order entering judgment in favor of Chapman Associates General Business, Inc. and Against Bank of America for \$17,959.12, and directing Bank of America to turn over \$17,959.12 in partial satisfaction of the judgment against IFCR.

WHEREFORE, Chapman Associates General Business, Inc., respectfully requests that this Court enter a judgment against Bank of America and for the benefit of Chapman Associates General Business, Inc. in the amount of \$17,959.12 and directing Bank of America to turn over that amount to counsel for Chapman.

Dated: July 16, 2015

Chapman Associates General Business, Inc.

By: /s/ Wesley E. Johnson

One of its attorneys

Wesley E. Johnson (6225257)
Goodman Tovrov Hardy & Johnson LLC
105 West Madison Street, Suite 1500
Chicago, IL 60602
(312) 752-4828
Fax: (312) 264-2535
wjohnson@goodtov.com

CERTIFICATE OF SERVICE

The undersigned, an attorney, certifies that on July 16, 2015, I will serve a copy of the attached **Plaintiff's Motion for Turnover**, on all parties in the manner indicated below.

TO: Via Personal Delivery, email and Fax
Bank of America
105 W. Madison, Ste. 101
Chicago, IL 60602
Fax No. 617-310-2751
Tyra.smalls@bankofamerica.com
Reference No.: U060415000519

Via US Mail and email
Integrated Freight Corporation
c/o Henry P. Hoffman
8374 Market Street, #478
Bradenton, FL 34202
Email: c/o David Fuselier, David.Fuselier@fuselierco.com

By: /s/ Wesley E. Johnson

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

CHAPMAN ASSOCIATES
GENERAL
BUSINESS, INC.,

Plaintiff,

vs.

INTEGRATED FREIGHT
CORPORATION,

Defendants.

)
)
) Case No. 12-2302
)
) Hon. Robert M. Dow
)
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AFFIDAVIT OF SERVICE

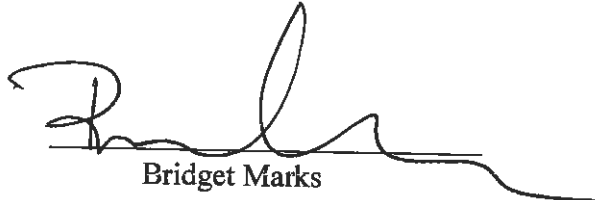
I, Bridget Marks, hereby certify that:

1. I am over 18 years of age and not a party to this case.
2. On June 4, 2015, at 4:00 p.m., I served the attached Citation to Discover Assets to a Third Party (the "Citation"), on Bank of America by personally handing a copy of the Citation to:

Aaron Gatewood - Financial Center Manager
Bank of America
105 W. Madison St., Ste. 101
Chicago, IL 60602

The undersigned, under penalties as provided for by law pursuant to 735 ILCS 5/1-109, certifies that the statements set forth herein to be true and correct.

Dated: June 4, 2015


Bridget Marks

NOTICE: The court has issued a citation against the person named above. The citation directs that person to answer interrogatories and provide documents at Goodman Tovrov Hardy & Johnson LLC, 105 West Madison St., Ste. 1500, Chicago, IL 60602 on June 26, 2015 at 10 am for the purpose of allowing the judgment creditor to discover income and assets belonging to the judgment debtor or in which the judgment debtor has an interest. The citation was issued on the basis of a judgment against the judgment debtor and in favor of the judgment creditor in the amount stated above. On or after the date stated above, the court may compel the application of any discovered income or assets toward payment on the judgment.

The amount of income or assets that may be applied toward the judgment is limited by federal and Illinois law.

THE JUDGMENT DEBTOR HAS THE RIGHT TO ASSERT STATUTORY EXEMPTIONS AGAINST CERTAIN INCOME OR ASSETS OF THE JUDGMENT DEBTOR WHICH MAY NOT BE USED TO SATISFY THE JUDGMENT IN THE AMOUNT STATED ABOVE.

(1) Under Illinois or federal law, the exemption of personal property owned by the debtor includes the debtor's equity interest, not to exceed \$4,000 in value, in any personal property as chosen by the debtor, including money in a bank account.

(2) Social Security and SSI benefits;

(3) Public assistance benefits;

(4) Unemployment compensation benefits;

(5) Worker's compensation benefits;

(6) Veteran's benefits;

(7) Circuit breaker property tax relief benefits;

(8) The debtor's equity interest, not to exceed \$2,400 in value, in any one motor vehicle;

(9) The debtor's equity interest, not to exceed \$1,500 in value, in any implements, professional books, or tools of the trade of the debtor;

(10) Under Illinois law every person is entitled to an estate in homestead, when it is owned and occupied as a residence, to the extent in value of \$15,000, which homestead is exempt from judgment.

(11) Under Illinois law, the amount of wages that may be applied toward a judgment is limited to the lesser of (i) 15% of gross weekly wages or (ii) the amount by which disposable earnings for a week exceed the total of 45 times the greater of the state or federal minimum hourly wage.

(12) Under federal law, the amount of wages that may be applied toward a judgment is limited to the lesser of (i) 25% of disposable earnings for a week or (ii) the amount by which disposable earnings for a week exceed 30 times the federal minimum hourly wage.

(13) Pension and retirement benefits (including IRA accounts) and refunds may be claimed as exempt under Illinois law.

The judgment debtor may have other possible exemptions under the law.

THE JUDGMENT DEBTOR HAS THE RIGHT AT THE CITATION HEARING TO DECLARE EXEMPT CERTAIN INCOME OR ASSETS OR BOTH.

**CERTIFICATION OF MAILING BY ATTORNEY FOR
JUDGMENT CREDITOR**

Under penalties as provided by law pursuant to 28 U.S. Code § 1746, the undersigned declares under penalty of perjury that s/he will mail by regular first-class mail a copy of the citation notice and this citation to defendant at the address shown above upon filing of the citation or within three business days of service if served upon Third Party Respondent.



Wesley E. Johnson

Executed on

6/4/2015

Wesley E. Johnson
Goodman Tovrov Hardy & Johnson LLC
105 W. Madison, Ste. 1500
Chicago, IL 60402
(312) 752-4828
wjohnson@goodtov.com

**CHAPMAN ASSOCIATES
GENERAL
BUSINESS, INC.,**

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)
)
)
) **Case No.:** **12-2302**
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)
)
) **Hon. Robert M. Dow**
)
)
)

CITATION TO DISCOVER ASSETS TO THIRD PARTY

TO: Bank of America
105 W. Madison, Ste. 101
Chicago, IL 60602

You are required to provide your answers on the form attached as Exhibit A, and produce documents responsive to Exhibit B of this citation by June 30, 2015 at Goodman Tovrov Hardy & Johnson LLC, 105 West Madison St., Ste. 1500, Chicago, IL 60602 at 10 am.

A judgment in favor of Plaintiff Chapman Associates General Business, Inc. and against Integrated Freight Corporation was entered on June 5, 2012 in the amount of \$835,907.91 in this Court under case No. 12-2302 and \$804,271.35 remains unsatisfied. A copy of the Judgment is attached as Exhibit C. The judgment calculation is attached as Exhibit D.

There is now due, less credit and off-set, sum of \$804,271.35 (Judgment Balance). Further sums may become due as costs and interest accrue.

Your answer will inform the Court as to property you may hold belonging to Integrated Freight Corporation (Judgment Debtor).

You are PROHIBITED from making or allowing any transfer or other disposition of, or interfering with, any property not exempt from the enforcement of a judgment, a deduction order or garnishment, property

belonging to the judgment debtor or to which s/he may be entitled or which may thereafter be acquired by or become due to him or her, and from paying over or otherwise disposing of any moneys not so exempt, which are due to the judgment debtor. This prohibition shall remain in effect until further order of court or termination of the proceeding. You are not required to withhold the payment of any monies beyond double the amount of the total sum due the judgment creditor.


If the account consists solely of funds that can be identified as exempt under federal or state law, you are **PROHIBITED** from **FREEZING THE ACCOUNT** and **YOU MUST RESPOND** that the account consists solely of exempt funds. Deposited funds that are exempt under federal and state law include Social Security, SSI, veteran's benefits, Railroad Retirement benefits, public assistance benefits, unemployment compensation benefits and/or circuit breaker property tax relief benefits.

WARNING: YOUR FAILURE TO COMPLY WITH THE CITATION PROCEEDING MAY RESULT IN A JUDGMENT BEING ENTERED AGAINST YOU FOR THE UNSATISFIED AMOUNT OF THIS JUDGMENT. 735 ILCS 5/2-1402(f)(1).

WARNING: YOUR FAILURE TO APPEAR IN COURT OR FILE YOUR ANSWER AS DIRECTED MAY CAUSE YOU TO BE ARRESTED AND BROUGHT BEFORE THE COURT TO ANSWER TO A CHARGE OF CONTEMPT OF COURT, WHICH MAY BE PUNISHABLE BY IMPRISONMENT.

CERTIFICATION BY ATTORNEY FOR JUDGMENT CREDITOR

Under penalties as provided by law pursuant to 28 U.S. Code § 1746, the undersigned certifies that the above information regarding the amount of the judgment, the date of the judgment, or its revival date, the balance due thereon, the name of the court and the number of the case is true and correct.


Wesley E. Johnson

Wesley E. Johnson
Goodman Tovrov Hardy & Johnson LLC
105 W. Madison, Ste. 1500
Chicago, IL 60402
(312) 752-4828
wjohnson@goodtov.com

THOMAS G. BRUTON

Clerk of Court

J. L. Martinez
Deputy clerk

JUN 04 2015

Date

EXHIBIT A

ANSWER OF THIRD PARTY RESPONDENT CITATION

Citation/Respondent: Bank of America.

Due Date: June 26, 2015.

Defendant's Name: Integrated Freight Corporation.

Case No. 12-2302, N.D. Ill. Judgment Balance: **\$804,271.35**

This is a Citation: Freeze up to double the Judgment Balance

INTERROGATORIES

1. On the date of service of the citation, did you have in your possession, custody or control any personal property or monies belonging to the judgment debtor? If the answer is "yes" go to the next question. If "no", go to the instructions.

2. Is any of the money in an IRA account? Or have all of the deposits made during the past 90 days been electronically deposited and identified as exempt Social Security, Unemployment Compensation, Public Assistance, Veteran's Benefits, Pension or Retirement or by a source drawing from any other statutory exemptions? If the answer is "yes" go to the next question. If "no", go to the instructions.

3. Is/Are the account(s)' current balance(s) equal to or less than the total of the exempt deposits? If you answered "yes" to all three (3) questions and funds in the account(s) are exempt, do not freeze the funds. Go to the "instructions" below.

4.	Account Balance	Amount Withheld
A. Savings Account	\$ _____	\$ _____
B. Check/MMA/Now Account	\$ _____	\$ _____
C. Certificate of Deposit	\$ _____	\$ _____
D. Trust Account/Other (Describe)	\$ _____	\$ _____

E. Safety Deposit ___ Yes ___ No

F. Land Trust

No. _____

G. Less Right of Offset for Loans:

\$ _____

Total Amount Frozen:

\$ _____

(Attach additional sheets as needed.)

5. List all electronic deposits into account(s) and their source(s) except deposits:

Account No.	Source	Monthly Amount
_____	_____	\$ _____
_____	_____	\$ _____
_____	_____	\$ _____

(Attach additional sheets as needed.)

6. List all joint account holders or adverse claimants:

Name _____

Address _____

Account Information: Type: ☐ Checking ☐ CD Savings

Account Number: _____

Name _____

Address _____

Account Information: Type: ☐ Checking ☐ CD Savings

Account Number: _____

Name _____

Address _____

Account Information: Type: ☐ Checking ☐ CD Savings

Account Number: _____

(Attach additional sheets as needed.)

INSTRUCTIONS (1.) Fill out and sign the certification below. (2.) This Answer must be filed at least three (3) days before the due date to assure timely processing. (3.) Fax or mail a copy of this Answer to (i) the Court, (ii) Plaintiff's attorney and (iii) Judgment Debtor. You may mail to the Clerk of the Court, Everett McKinley Dirksen United States Courthouse, 219 South Dearborn Street, Chicago, IL 60604 (4.) You will receive a copy of a Court Order by fax or mail instructing you how to proceed and where to send any withheld funds.

Pursuant to 28 U.S. Code § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Print name: _____

Signature: _____

**Citation Respondent/Agent of Citation
Respondent**

Executed on: _____

EXHIBIT B

Citation Rider

DOCUMENT REQUESTS

1. Judgment Debtor's bank statements for the past two years for all accounts, whether open or closed.
2. Judgment Debtor's cancelled checks for the past two years for all accounts, whether open or closed.
3. Documents reflecting any liens, garnishments, or secured interests in any of the Judgment Debtor's accounts.
4. Documents reflecting any mortgages or other interest in any of the Judgment Debtor's real property
5. Documents relating to any loans to the Judgment Debtor.

EXHIBIT C
JUDGMENT

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UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

**CHAPMAN ASSOCIATES GENERAL
BUSINESS, INC.,**

Plaintiff,

v.

**INTEGRATED FREIGHT
CORPORATION.**

Defendant.

Case No.: 12-2302

Assigned Judge: Robert M. Dow

Magistrate Judge: Sheila M. Finnegan

JUDGMENT BY DEFAULT AGAINST INTEGRATED FREIGHT CORPORATION

Upon the Plaintiff's Motion for Entry of Default Judgment (the "Motion") filed by Chapman Associates General Business, Inc. (the "Plaintiff"); and the Court finding that (a) due and proper notice of the Motion has been given and that no other or further notice thereof is required, (b) Integrated Freight Corporation (the "Defendant") is in default having failed to answer or otherwise plead to the complaint filed in this adversary proceeding, and (c) that good cause exists to grant the relief requested in the Motion, IT IS HEREBY ORDERED THAT:

Judgment is hereby entered in favor of the Plaintiff and against the Defendant in the amount of \$835,907.91.

Dated: 6-5-12



HONORABLE ROBERT M. DOW
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS

EXHIBIT D

JUDGMENT CALCULATION

Judgment date: June 5, 2012

Judgment amount: \$835,907.91

Federal interest rate for judgment rendered on that date: .19%

Interest between June 5, 2012 and May 1, 2015: \$4,608.03

Payment on May 1, 2015 (15mm shares of stock at \$.0021 per share): \$31,500.00

Balance as of May 1, 2015: \$809,015.94

Interest from May 1, 2015 to May 4, 2015: \$16.85.

Payment on May 4, 2015: \$5,000

Balance as of May 4, 2015: \$804,032.78

Interest from May 4, 2015 to June 30, 2015: \$238.57

Balance: \$804,271.35